

WAC 173-224-090 Permit fee reductions. With the exception of facilities covered under the construction and industrial stormwater general permits who are not eligible to apply for a fee reduction, any business required to pay a fee may receive a reduction of its permit fee.

(1) Market research and development.

(a) To qualify for the fee reduction, the operation under permit must be:

(i) A research facility with the primary purpose of researching market viability for products and/or processes that reduce or eliminate wastewater pollutants or wastewater pollutant generating activity;

(ii) Covered under an individual permit issued within the past three fiscal years;

(iii) Assessed a fee under an established fee category, excluding facility not otherwise classified.

(b) To receive a fee reduction, the permit holder must submit an application in a manner prescribed by the department demonstrating that the conditions in (a) of this subsection are met. The application shall bear a certification of correctness and be signed:

(i) In the case of a corporation, by an authorized corporate officer;

(ii) In the case of a limited partnership, by an authorized general partner;

(iii) In the case of a general partnership, by an authorized partner;

(iv) In the case of a sole proprietorship, by the proprietor; or

(v) In the case of a municipality, state, or other public entity, by either a principal executive officer or a ranking elected official.

(c) The department may verify the information contained in the application and, if it determines that the permit holder has made false statements, may deny the fee reduction request and revoke previously granted fee reductions.

(d) The permit fee for market research and development determined to be eligible under (a) of this subsection shall be reduced to twenty-five percent of the assessed annual permit fee.

(e) A site can only be eligible for this reduction for three consecutive fiscal years.

(2) Small business fee reduction.

(a) To qualify for the fee reduction, a business must:

(i) Be a corporation, partnership, sole proprietorship, or other legal entity formed for the purpose of making a profit;

(ii) Be independently owned and operated from all other businesses (i.e., not a subsidiary of a parent company);

(iii) Have annual sales of one million dollars or less of the goods or services produced using the processes regulated by the waste discharge or individual stormwater discharge permit; and

(iv) Have an original annual fee assessment totaling five hundred dollars or greater.

(b) To receive a fee reduction, the permit holder must submit an application in a manner prescribed by the department demonstrating that the conditions in (a) of this subsection are met. The application shall bear a certification of correctness and be signed:

(i) In the case of a corporation, by an authorized corporate officer;

(ii) In the case of a limited partnership, by an authorized general partner;

(iii) In the case of a general partnership, by an authorized partner; or

(iv) In the case of a sole proprietorship, by the proprietor.

(c) The department may verify the information contained in the application and, if it determines that the permit holder has made false statements, may deny the fee reduction request and revoke previously granted fee reductions.

(d) The permit fee for small businesses determined to be eligible under (a) of this subsection shall be reduced to fifty percent of the assessed annual permit fee.

Extreme hardship fee reduction. Any small business with annual gross revenue totaling one hundred thousand dollars or less from goods and services produced using the processes regulated by the waste discharge or individual stormwater discharge permit may apply for an extreme hardship fee reduction. The small business must provide sufficient evidence to support its claim of an extreme hardship. In no case will a permit fee be reduced below \$128.00.

[Statutory Authority: RCW 90.48.465. WSR 21-13-150 (Order 19-10), § 173-224-090, filed 6/22/21, effective 7/23/21; WSR 19-14-040 (Order 18-01), § 173-224-090, filed 6/26/19, effective 7/27/19; WSR 13-22-051 (Order 13-02), § 173-224-090, filed 11/1/13, effective 12/2/13. Statutory Authority: RCW 90.48.465 and 2011 c 50 § 302(2). WSR 11-20-035 (Order 11-02), § 173-224-090, filed 9/27/11, effective 10/28/11. Statutory Authority: RCW 90.48.465. WSR 09-20-020 (Order 09-06), § 173-224-090, filed 9/28/09, effective 10/29/09. Statutory Authority: Chapter 90.48 RCW. WSR 08-16-109 (Order 08-05), § 173-224-090, filed 8/5/08, effective 9/5/08. Statutory Authority: RCW 90.48.465. WSR 04-15-046, § 173-224-090, filed 7/13/04, effective 8/13/04. Statutory Authority: Chapter 90.48 RCW. WSR 96-03-041 (Order 94-21), § 173-224-090, filed 1/10/96, effective 2/10/96; WSR 94-10-027 (Order 93-08), § 173-224-090, filed 4/28/94, effective 5/29/94; WSR 92-03-131 (Order 91-45), § 173-224-090, filed 1/21/92, effective 2/21/92. Statutory Authority: Chapter 43.21A RCW. WSR 89-12-027 and 90-07-015 (Order 89-8 and 89-8A), § 173-224-090, filed 5/31/89 and 3/13/90, effective 4/13/90.]